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Los Angeles, L.P., MPT of Olympia, LLC,
MPT Operating Partnership, L.P., and
Medical Properties Trust, Inc.*

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLYMPIA HEALTH CARE LLC,
ALECTO HEALTHCARE SERVICES,
LLC, MPT OF LOS ANGELES, L.P.,
MPT OF OLYMPIA, LLC, MPT
OPERATING PARTNERSHIP, L.P.,
MEDICAL PROPERTIES TRUST,
INC., SHERMAN/GRAYSON
HOSPITAL, LLC, ALECTO
HEALTHCARE SERVICES
SHERMAN, LLC, LAXMAN REDDY,
MATTHEW WILLIAMS, and
JEREMY REDIN,

Defendants.

Case No. 2:23-cv-01783-ODW-PVC

**STIPULATION TO FURTHER
EXTEND TIME FOR MPT
DEFENDANTS TO RESPOND TO
INITIAL COMPLAINT**

Complaint Served (Waiver of
Service Executed): March 13, 2023
Current Response Date: Sept. 7, 2023
New Response Date: Oct. 23, 2023

1 Plaintiff United States of America (“Plaintiff”) and Defendants MPT of Los
2 Angeles, L.P., MPT of Olympia, LLC, MPT Operating Partnership, L.P., and
3 Medical Properties Trust, Inc. (the “MPT Defendants” and, together with the
4 Plaintiff, the “Parties”) by and through their undersigned counsel, hereby stipulate
5 and agree as follows:

6 WHEREAS, Plaintiff filed the Complaint [Docket No. 1] (“Complaint”) on
7 March 9, 2023 and sent the Complaint to the MPT Defendants with a Notice of
8 Lawsuit and Request for Waiver of Service of Summons on March 13, 2023;

9 WHEREAS, the MPT Defendants returned an executed Waiver of Service of
10 Summons on March 13, 2023, which was filed with the Court on May 5, 2023
11 [Docket No. 14];

12 WHEREAS, based on the MPT Defendants’ waivers of service, the MPT
13 Defendants’ initial responsive pleading deadline was May 12, 2023;

14 WHEREAS, the Parties held a meet and confer call on May 4, 2023,
15 regarding the MPT Defendants’ intent to file a motion to dismiss the Complaint as
16 against them pursuant to Fed. R. Civ. P. 12(b)(6);

17 WHEREAS, following their initial meet and confer call, the Parties stipulated,
18 pursuant to Rule 8-3 of the Local Civil Rules, to extend the time for the MPT
19 Defendants to answer or otherwise respond to the Complaint to June 9, 2023
20 [Docket No. 15], and subsequently entered into additional stipulations to further
21 extend such deadline [Docket Nos. 20 & 27], the most recent of which extended the
22 deadline to September 7, 2023;

23 WHEREAS, the Parties have continued to exchange information and remain
24 engaged in discussions regarding a potential resolution that would either obviate the
25 MPT Defendants’ potential motion to dismiss or narrow the scope of the issues in
26 dispute;

27 WHEREAS, as set forth in the Parties’ joint status report filed on July 31,
28 2023 [Docket No. 29], (i) progress continues to be made in resolving Plaintiff’s

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1 claims against the MPT Defendants without the need for further litigation, and (ii) if
2 this dispute is resolved – as anticipated – without the need for further litigation,
3 additional time will likely be needed to obtain necessary approvals by the
4 appropriate officials at the Centers for Medicare and Medicaid Services of the
5 Department of Health and Human Services and the Department of Justice;

6 WHEREAS, the Parties believe good cause exists to further extend the
7 deadline for the MPT Defendants to respond to the Complaint because the filing of
8 the MPT Defendants’ motion to dismiss on or before the current September 7, 2023
9 deadline (and the briefing in connection therewith) would distract from the Parties’
10 efforts to consensually resolve the dispute;

11 WHEREAS, this stipulation is made in good faith and not for the purpose of
12 delay or for any other improper purpose; and

13 WHEREAS, no discovery cut-off date, pretrial conference date, or trial date
14 has been set, and three prior extensions of the deadline to respond to the Complaint
15 have been granted (one of which was an extension of less than 30 days pursuant to
16 Local Rule 8-3).

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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED
2 between the Parties, by and through their counsel of record, as follows:

3 1. The deadline for the MPT Defendants to file their response to the
4 Complaint is extended from September 7, 2023 to October 23, 2023.

5 IT IS SO STIPULATED.

6 Dated: August 30, 2023

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7
8 By: /s/ Samuel M. Kidder
9 Samuel M. Kidder (CA Bar No.
284015)

10 Attorneys for Defendants MPT of Los
11 Angeles, L.P., MPT of Olympia, LLC
12 MPT Operating Partnership, L.P., and
13 Medical Properties Trust, Inc.

14 Dated: August 30, 2023

UNITED STATES OF AMERICA

15
16 By: /s/ John R. Kresse
17 John R. Kresse
18 Trial Attorney
19 United States Department of Justice

20 Attorneys for United States of
21 America
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ATTESTATION

Pursuant to Local Civil Rule 5-4.3.4(a)(2)(i), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: August 30, 2023

KTBS LAW LLP

By: /s/ Samuel M. Kidder
Samuel M. Kidder (CA Bar No.
284015)

Attorneys for Defendants MPT of Los Angeles, L.P., MPT of Olympia, LLC MPT Operating Partnership, L.P., and Medical Properties Trust, Inc.